

**LUKAS, NACE, GUTIERREZ & SACHS**

**CHARTERED**

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**DAVID A. LaFURIA**  
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January 21, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Room TW-B204  
Washington, DC 20554

**Re: Federal-State Joint Board on Universal Service**  
**CC Docket No. 96-45**

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we hereby provide you with notice of an oral *ex parte* presentation in connection with the above-captioned proceeding.

On Wednesday, January 19, 2005, undersigned counsel, on behalf of Smith Bagley, Inc. ("SBI"), met with Jessica Rosenworcel, legal advisor to Commissioner Copps, to discuss universal service policies affecting the Eastern Agency of the Navajo Nation in New Mexico and the status of SBI's petition for designation as an eligible telecommunications carrier ("ETC") in the portion of the Navajo Reservation located in Utah. The need for prompt action on SBI's petition for a waiver to permit Tier 4 Support to be made available to all carriers operating on the Eastern Navajo Agency was discussed.

If you have any questions or require any additional information, please contact undersigned counsel directly.

Sincerely,

/s/

David A. LaFuria

cc: Jessica Rosenworcel, Esq.